

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

MINUTES OF A REGULAR MEETING
OF THE FACULTY SENATE HELD ON
JANUARY 19, 1996, IN THE ELLIOTT
ROOM, UNIVERSITY CLUB, MARVIN CENTER

The meeting was called to order by President Trachtenberg at 2:15 p.m.

Present: President Trachtenberg, Interim Vice President Salamon, Registrar Selinsky, Parliamentarian Keller; Deans Caress Frieder, and Futrell; Professors Boswell, Captain, Castleberry, Darr, Elgart, Englander, Griffith, Gupta, Haque, Harrauld, Johnston, Kahn, Park, Pelzman, Robinson, Seavey, Silber, Smith, Solomon, Straw, and Vontress

Absent: Deans Fowler, Friedenthal, Harding, and Keimowitz; Professors Brewer, Kimmel, Tropea, and Yezer

APPROVAL OF THE MINUTES

The minutes of the regular meeting of December 8, 1995, were approved as distributed.

RESOLUTIONS

- I. RESOLUTION 95/5, "A RESOLUTION TO ESTABLISH A SPECIAL JOINT FACULTY-ADMINISTRATION-TRUSTEES COMMITTEE TO FORMULATE AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST"

On behalf of the Executive Committee, Professor Pelzman, Chair, moved adoption of Resolution 95/5, "A Resolution to Establish a Special Joint Faculty-Administration-Trustee Committee to Formulate an All-Encompassing University-Wide Policy on Conflict of Interest," and the motion was seconded. Professor Pelzman summarized the background of this resolution, noting that the Board in May 1995 approved a Senate resolution on conflict of interest pertaining to federally funded research with the condition that the Senate formulate an all-encompassing University-wide policy on conflict of interest that would include, but not be limited to, federally-funded research. He explained that this request by the Board raises a completely different issue. In response to the Board's request, he said that the Executive Committee recommended the establishment of a Special Joint Committee composed of faculty, administrators, and Trustees to work together to develop a University-wide conflict of interest policy. He noted that Resolution 95/5 contains a charge to the Joint Committee to review existing conflict of interest policies at other universities,

including the "market-basket" schools. After consultation among the Committee members and with the larger faculty community, the Joint Committee is asked to develop an all-encompassing University-wide conflict of interest policy, and to report back to the Senate by December, 1996. Professor Pelzman urged the Senate to adopt this resolution.

Professor Boswell spoke in support of Resolution 95/5. He said that, regardless of what comes out of this undertaking, the Executive Committee thought it was time that we looked at the issue of conflict of interest, which is very complicated, and that we should not allow ourselves to be driven by federal rules and regulations.

Professor Seavey asked if the policy would include the Medical Center. Professor Pelzman replied that it would include everyone. One of the things, he said, the Joint Committee would have to deal with is to define exactly what is meant by conflict of interest because that is something the Board has not defined for the faculty.

Professor Griffith asked how many additional members would be appointed to the Special Joint Committee by the administration and the Trustees. Professor Pelzman responded that Trustee Joseph L. Brand would represent the Board, and that the President could appoint as many members of the administration as he thought appropriate.

The question was called on the original motion, and Resolution 95/5 was adopted unanimously. (Resolution 95/5 is attached.)

II. RESOLUTION 95/6, "A RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR REAPPOINTMENT"

On behalf of the Committee on Appointment, Salary and Promotion Policies, Professor Griffith, Chair, moved the adoption of Resolution 95/6, and the motion was seconded. Professor Griffith said the intention of both the ASPP Committee and the PEA Committee was to add a minor extension of the current language in the Faculty Code that requires every school, department, and academic unit to establish and publish procedures for making appointments to the faculty and for making recommendations for promotion and for conferral of tenure. What is not explicitly required in the Code language is that academic units must establish and publish procedures that will be followed in making reappointments. In the absence of any such requirements, when a decision is made typically not to reappoint, or perhaps to reappoint for a short period of time, Professor Griffith said that it was very difficult for anyone to determine whether that decision

was properly made without some established standards against which to test it. In looking into a number of complaints, he thought it was true that in many cases the reconsideration was done in a very careless and off-handed way. Therefore, he said that it seemed appropriate that the schools and departments be asked to establish the procedures in advance, which they are prepared to use, so that the individual knows what the process is and what to expect. He pointed out that the proposed amendment includes a safeguard in the language to make it clear that, in requiring schools and departments to publish procedures for considering reappointments, this would not create an entitlement to anyone not otherwise eligible for appointment to be considered for reappointment.

Professor Robinson, Chair, Professional Ethics and Academic Freedom Committee, stated that the resolution represented essential fairness that faculty members had not been afforded in the past. Additionally, this amendment would protect the University from litigation. She urged the Senate to support Resolution 95/6.

Professor Gupta asked whether or not this resolution would include reappointments under the nonconcurrence device as promotion and tenure are under the Code. If not, he thought we should make certain that reappointments come under the same kind of umbrella as promotion and tenure. Professor Griffith replied that he did not know of any situation where there has been a nonconcurrence by a Dean with a faculty recommendation for appointment which has gone into grievance and a ruling has been made. He said that he would guess that reappointments would come under the same coverage as appointments, but that this was an untested area. Professor Robinson said that she assumed that reappointments would be covered as well.

Professor Boswell noted that he has watched the number of contract employees creep up in the School of Education, and they have become quite vocal because they do not think they are protected by the Faculty Code. He thought the resolution was a step in the right direction because he did not see contracts diminishing and he thought that the University has to insure that more of its faculty are covered by the Code.

Professor Silber said that he was concerned about the words "assembling information" in part (b) of the First RESOLVING clause because he thought that if different schools and different departments try to work out precise language in assembling information that that could lead to a real "babble of possibilities." Professor Griffith responded that that language was meant to track the language in the immediately preceding paragraph regarding appointments. He said that if we have been able to assemble all relevant information in the case of initial appointments, he thought the same could be done for reappointments.

The President recognized Senior Associate Dean Kee. Dean Kee asked if this resolution would apply to contract faculty who are brought on for specific programs, such as an off-campus program with a particular company, where an individual would be a professor during a one-year period during the program. If so, he asked whether it would be possible for the school, in its procedures, to make some sort of exception or differentiation between that type of individual and an individual who was appointed to a non-tenure track position on campus as part of a program. Professor Griffith replied that the language was intended to sweep broadly with one exception. In the letters of appointments issued only by the Vice President for Academic Affairs, some of those letters explicitly state that the appointment is for a definite term and that it is nonrenewable. In the absence of such a provision, the intent, he said, was to provide for a systematic way of considering anyone for reappointment who has a full-time position on the faculty.

Professor Captain spoke in support of the resolution but she pointed out that a further safeguard was needed, perhaps at the level of the deans. Some departments, she said, would need assistance in establishing criteria and procedures because some departments have not had experience in dealing with tenure and promotion for quite some time. Professor Griffith agreed with Professor Captain, and he suggested that the deans and the Vice President for Academic Affairs be asked to provide help and guidance to the academic units in this regard. Interim Vice President Salamon responded by stating that, if this resolution is adopted, she would send out notification to the deans emphasizing the points listed on Page 1 of the Special Report, II. Background of Resolving Clause #1, accompanying the resolution. She would also suggest that the faculty strongly consider the difference between review of reappointments of contractual faculty who are not on tenure track from reappointments of those faculty who are on tenure track appointments. In addition, Vice President Salamon said that she would set a deadline for filing bylaw revisions with the Office of Academic Affairs as the Special Report, Page 2, recommends, and that she would recommend to the permanent Vice President for Academic Affairs that once the revised bylaws have been filed, that they be reviewed by the General Counsel and the Vice President for Academic Affairs for consonance with the school bylaws, for equal treatment for the similarly situated, and for general emphasis. She said that a candidate ought not to be disadvantaged because he or she has been appointed to a faculty that is careless about process--there must be equity and scrupulous fairness to all candidates.

Professor Park said that he agreed with the spirit of the resolution because it seemed a sensible new procedural move and because such things as disclosure, notice, and fairness were all very important. But once this resolution is adopted, he assumed

that it will have a contractual effect. While Professor Griffith indicated that this was not intended to create an entitlement where one would not otherwise exist, Professor Park pointed out that Section II. of the Special Report of the ASPP Committee talks about the appropriateness for the reappointment, and Section III. talks about universal compliance. These references, he said, raise the question of whether or not we would be creating a tripwire that might constitute some kind of entitlement not intended by the resolution. Professor Park then moved to amend the last sentence of Paragraph 5 of the First RESOLVING clause by adding the following language: ". . . technical or non-prejudicial defects in compliance will not create an entitlement to reappointment." The motion was seconded. In response to a question as to why it might be needed, Professor Park said that an example of this might be where there was a requirement in the department that all publications that were the basis of the review by members of the departmental faculty would have been put on file for review. A small department might not technically comply with that requirement because it already had familiarity with these publications.

Professor Johnston pointed out that one could have a "million" arguments about what was "technical" and what was "non-technical" and he suggested to Professor Park that the word "technical" be stricken. Professor Park accepted Professor Johnston's suggestion as a friendly amendment, so that the amendment would now read: "non-prejudicial defects in compliance will not create an entitlement to reappointment." The seconder agreed.

Professor Silber suggested that similar language should be added in the Code with respect to tenure and promotion because no such similar language is present, and the result could conceivably be unwanted tenure.

President Trachtenberg noted that he thinks the AAUP standards allow individual institutions to craft protocols satisfactory to themselves, and they do not limit the (academic) procedural freedoms of individual campuses. He said awarding an individual a lifetime contract because a notification date was missed seemed disproportionate to him. He stressed that there ought to be some relationship between the error and the outcome.

Professor Griffith said that he thought the issue that Professor Park raised was of some importance and significance, but he did not think that the proposed amendment belonged as a qualification in the resolution before the Senate. He suggested that Professor Park's amendment might be better included in the language of the Code in Article X.B. Grievances where an individual has to show that he or she has suffered a substantial injury resulting from a violation of his or her professional rights or privileges. Professor Griffith said that it seemed to him if there

were a non-prejudicial error, he thought that that might make it difficult to show that one has suffered a significant injury. He said that the amendment proposed by Professor Park would have a deleterious and counterproductive effect on the resolution, and he opposed it.

Professor Englander said that he opposed the Park amendment and supported the resolution as presented. However, he emphasized that the questions raised by Professor Park were very important and he recommended that the Professional Ethics and Academic Freedom Committee be requested to review these issues in the context of the current Code language.

Professor Park said that he thought that it was a sensible proposal, in organizational terms, to place his amendment in another section of the Code, after having it considered by the appropriate Senate Committee. On the other hand, Professor Park said that it seemed to him that the amending language he had suggested should be incorporated in the legislative history of this resolution so that anyone looking at this resolution and the minutes would understand that it was the intent of the Senate that non-prejudicial errors were not to be contemplated as a basis for grievances. With that understanding, Professor Park withdrew his amendment, and the seconder agreed.

The question was called on the original motion, and Resolution 95/6 was adopted. (Resolution 95/6 is attached.)

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

ANNUAL REPORT ON RECRUITMENT AND RETENTION OF MINORITY AND WOMEN FACULTY BY LINDA S. SALAMON, INTERIM VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Annual Report on the Recruitment and Retention of Minority and Women Faculty was distributed by Vice President Salamon. She noted that this Report was prepared by Assistant Vice Presidents Peggye Cohen and Annie Wooldridge and their respective staffs. (The Report is attached hereto and made a part of these Minutes.)

Vice President Salamon then presented an overview of data contained in the report covering University Commitment, Recruitment Activity, Profile of Faculty, Campus Climate, Faculty Retention, and Institutional Profile. Vice President Salamon said that this report provided a quick snapshot of the current situation in terms of women and minorities on the faculty, but that the University's commitment to equal opportunity and to increasing the presence of minorities and women on its faculty and staff cannot translate into actual appointments without the active participation

of the faculty. Obviously, she said, part of the problem is the pipeline--not enough minority men and women to meet the demands of all of America's campuses were entering advanced degree study. But one of the ways the University is trying to help in that regard is to begin a plan to work for better recruitment of minority students into our own graduate programs.

Professor Vontress congratulated Vice President Salamon for making an assessment of the campus culture, which he thought was a step in the right direction. He proposed that, in the future, perhaps some thought might be given to having external assessments or surveys because sometimes outsiders see things that we ourselves cannot see easily. Secondly, Professor Vontress raised a question about the affirmative action guidelines that appeared in BY GEORGE! a year ago. He said it was his understanding that these guidelines would be put into a format that could be disseminated to the deans and departmental chairs, so that when search committees were established everyone throughout the University community would be using the same guidelines, and he wondered what happened to them. Vice President Salamon replied that she understood that each school was invited to set up its own patterns in order to increase its recruitment and retention of minorities and women. She said that at the next Council of Deans' meeting, it was her intention to ask them what their respective schools have done in this regard, and that she would report back to the Senate.

President Trachtenberg said that Professor Vontress was right, but to some extent the University has gone past that in a way. All of the search committees are obliged and are aware of the obligations with regard to affirmative action, and, therefore, he thought it goes beyond the sentiment in a sense that the guidelines that appeared in BY GEORGE! have now been turned almost into common law, if not statute.

Professor Gupta, referring to the affirmative action guidelines, explained that what Professor Vontress was referring to was called the "Action Plan" published in BY GEORGE! One aspect of the Action Plan was that the deans and departmental chairs each year would prepare a plan of action for the next year and send that plan to the Vice President for Academic Affairs. He said that he did not think that the plan has filtered down to the department chairs.

Professor Vontress said that the real issue in the School of Education was the salary equity issue, and he asked if next year's report could include information on the breakdown of salary by gender and race. Vice President Salamon replied that she saw no reason why salary averages aggregated at the department, division, or school level could not be included, as long as individual salaries were not identified.

GENERAL BUSINESSI. NOMINATION FOR ELECTION OF FACULTY MEMBERS TO THE SPECIAL COMMITTEE ESTABLISHED BY RESOLUTION 95/5 (ABOVE)

On behalf of the Executive Committee, Professor Pelzman, Chair, moved the nominations for election of the following faculty to the Special Joint Faculty-Administration-Trustees Committee to formulate an all-encompassing University-wide policy on conflict of interest: Professors Robert Harrington, Co-Chair (SEAS), Joseph Cordes (CSAS), Mervyn Elgart (Medical), Lisa Horvath (GSEHD), Gerald Johnston (Law), Thomas Morgan (Law), Beth Nolan (Law), Joseph Pelzman (ESIA), Lilien Robinson (CSAS), and Philip Wirtz (SBPM). No nominations were made from the floor, and the nominees were elected unanimously.

II. REPORT OF THE EXECUTIVE COMMITTEE

On behalf of the Executive Committee, Professor Pelzman, Chair, presented the Committee's report. (The report is enclosed and made a part of these Minutes.)

III. INTERIM REPORTS OF SENATE COMMITTEE CHAIRS

No interim reports were received

BRIEF STATEMENTS (AND QUESTIONS)

Professor Park, Chair of the Advisory Committee, Vice President for Academic Affairs Search, reported to the Senate on the progress of the Committee's work. He said that the Committee has a pool of 126 candidates to date, and these have been reduced to a priority pool of 17 candidates. The Committee anticipates that, in mid-February, it will meet with about 8 to 10 of the candidates. Professor Park said that the Committee invites the continuing advice of and consultation with the faculty, Senate members, Chairs, Deans and Vice Presidents in the interviewing and evaluation of the candidates incidental to their on-campus visits. He emphasized that the President has followed the complete "hands-off" approach that he indicated was his preference at the outset of the search. Professor Park said that the Committee was quite optimistic and he thought that the faculty would be very impressed with the candidates who come out of the process. (Professor Park distributed a more detailed written report of the Advisory Committee which is attached hereto and made a part of these Minutes.)

Professor Griffith noted that the First Schedule of Classes that was published in November contained no classroom assignments. The Schedule of Classes containing classroom assignments was

published only on the day before classes, causing considerable chaos for departments, since students were trying to determine where their classes would be held. He suggested that perhaps some better way of publishing classroom assignments in advance in the schedule could be found. Vice President Salamon pointed out that one of the reasons why classrooms were not assigned initially was the unavailability of Lisner and Stuart Halls. Beginning next year, she said that department chairs would be asked for their course offerings one semester in advance rather than one year in advance.

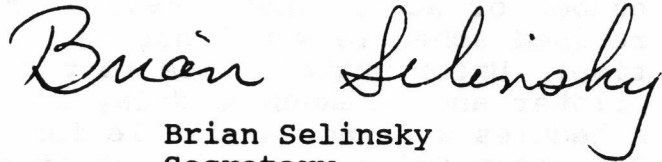
In response to Professor Griffith's comments, Registrar Selinsky explained that the original schedule did not include classroom assignments because rooms are scheduled all at one time when all the classrooms are in the system. Schedule 25 is designed to take all the classes with all the requirements, such as size and number of seats, and schedule them once. He said normally the revised schedule would not have come out as late as it did this time. Unfortunately, due to the misplacement of the copy by the printer and subsequent delay in delivery to the University, the schedules were not available for distribution until January 16th. Registrar Selinsky said that it was not his intent to make room assignments difficult for anyone. He pointed out, however, that the room information is available in the GWIS system, which most of the undergraduates are familiar with, and that that information is more accurate than the printed schedule because it is updated every night. The Registrar apologized for any inconvenience the late classroom assignment information may have caused. Professor Pelzman asked the Registrar whether the new software package for scheduling was related in any way to the Banner system, and the Registrar replied that it was a different package which does an excellent job of scheduling.

Professor Griffith said that he has heard repeated rumors that there was some anticipation that some new schools were to be formed as part of the University and that perhaps there will be an announcement of this in connection with Charter Day. He pointed out that the Faculty Code requires the Senate to be consulted in such matters. Since he had not heard anything from the Executive Committee, he asked the President whether or not there was any substance to these rumors. The President replied that he, himself, does not listen to rumors. He then called upon Interim Vice President Salamon to speak to the subject. Interim Vice President Salamon said that there is discussion within the Medical Center about the possibility of establishing a School of Public Health. Starting a new school would be a major undertaking, she said, and it would take a year to get to the point of establishment of a school; the year's planning process may be announced soon.

President Trachtenberg said he wished to take this opportunity to invite everyone's attention to the current issue of Academe, which features an article on the future of tenure as viewed by himself with a rebuttal by Professor Lobuts. There is also a very interesting article about medical school tenure and how it is somehow distinguishable from the rest of the University and how some people think it should not be. The President said he thought the articles were very good and worth reading. Professor Englander said at this point he would like to encourage all his colleagues to consider joining the GWU AAUP Chapter. President Trachtenberg said it was possible to read Academe without buying a subscription.

ADJOURNMENT

Upon motion made and seconded, President Trachtenberg adjourned the meeting at 3:50 p.m.



Brian Selinsky
Secretary

A RESOLUTION TO ESTABLISH A SPECIAL JOINT FACULTY-ADMINISTRATION-TRUSTEES COMMITTEE TO FORMULATE AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST (95/ 5)

WHEREAS, the Board of Trustees of The George Washington University at its May 12, 1995, meeting requested that the Faculty Senate and Administration draft an all-encompassing University-wide conflict of interest policy for review by the Board's Academic Affairs Committee; and

WHEREAS, the Faculty Senate has declared its commitment to work with the Administration and the Board of Trustees to develop an all-encompassing University-wide conflict of interest policy; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That a Special Joint Faculty-Administration-Trustees Committee be established, to consist of ten faculty members, including a Co-Chair, to be nominated by the Executive Committee for election by the Senate; the Administration and the Board of Trustees to appoint a Co-Chair of the Special Joint Committee and additional members; and**
- (2) That the Special Joint Committee be charged as follows:**
 - (a) to review the existing conflict of interest policies at other leading universities, including those considered GWU's "market-basket" schools; and**
 - (b) to develop an all-encompassing University-wide conflict of interest policy; and**
 - (c) to submit its report and recommendations to the Faculty Senate by December, 1996.**

**Executive Committee of the Faculty Senate
December 14, 1995.**

Adopted by the Faculty Senate January 19, 1996

[Any inquiries about this resolution should be directed to Professor Griffith, Chair, Appointments, Salary, and Promotion Policies Committee, Ext. 4-6266, or Professor Robinson, Chair, Professional Ethics and Academic Freedom Committee, Ext. 4-7094.]

A RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR REAPPOINTMENT (Res. 95/6)

WHEREAS, a recommendation for or against reappointing a faculty member constitutes a very important decision both for the University and the individual faculty member; and

WHEREAS, faculty candidates for reappointment have complained of unwritten and unclear procedures; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That the Faculty Code, Sec. IV. A. 5, be amended to read (added language is underlined):

"5. CRITERIA AND PROCEDURES FOR APPOINTMENTS AND REAPPOINTMENTS

Each school, college, or comparable educational division shall establish and publish criteria on which regular active-status faculty appointments will be based. Additional criteria that may exist in the departments shall also be published. Each department or nondepartmentalized school or college shall establish and publish (a) the procedures to be followed for recruitment, assembling all relevant information, and making recommendations for appointments to the regular faculty, and, (b) the procedures to be followed in assembling information and recommending for or against reappointment to the regular faculty, whenever reappointment may be considered within the terms of an existing appointment."

2. That the Vice President for Academic Affairs assure the publication of such procedures and advise the Faculty Senate of the status of compliance with this requirement.

Committee on Appointments, Salary, and Promotion Policies
Committee on Professional Ethics and Academic Freedom
Dec. 12, 1995

Adopted by the Faculty Senate January 19, 1996

Appointments, Salary, Promotion Policies Committee

SPECIAL REPORT TO THE FACULTY SENATE: Dec. 12, 1995

I. Introduction

This Special Report is intended to accompany and clarify a "RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR APPOINTMENT" (R 95/6). This Resolution is sponsored by both the Appointments, Salary, and Promotion Policies (ASPP) and the Professional Ethics and Academic Freedom (PEAF) Committees, to whom the Executive Committee assigned joint jurisdiction on the issue in question. This Report was prepared by the ASPP Committee on behalf of both committees.

II. Background of Resolving Clause #1

The Senate Executive Committee was prompted to send this issue to the PEAF Committee by a rising number of complaints, by both tenure-track and non-tenure-track faculty members, that consideration of their reappointments had been faulty or deficient in ways that made the judgement suspect, but also made it difficult to obtain a proper review. In a number of cases, there appeared to be at least prima facie justification of a complaint that the departmental or school consideration of a reappointment had been seriously deficient in failing to provide reasonably fair procedures, such as advance notice to the candidate of consideration, clear identification of what would be considered, a reasonable opportunity for the candidate to update his/her c.v. and/or provide copies of recent teaching evaluations or new publications, and adequate time for the voting faculty to review the new dossier.

In the absence of any published procedures, however, the complaining faculty member faced a difficult task of sustaining a grievance under the Faculty Code by showing the decision arbitrary or capricious. This left only recourse to the courts, a route sometimes taken but an expensive, stressful, divisive, and time-consuming undertaking for the individual and the department, School, and University. Moreover, in the absence of published procedures, such a case is difficult for the University to defend, and raises the likelihood that courts will impose their own standards of fair procedures which may not fit our situation as well as ones of our own devising.

In addition, it has been pointed out that such potential for vagueness or hidden biases and/or arbitrariness in procedures is thought to pose a special threat to minority and women faculty, where it would also be especially closely scrutinized by the courts (Report on the Status of Minority and Women Faculty and Librarians).

Developing recommendations respecting faculty appointments, reappointments, promotion and tenure constitutes one of the facul-

ty's most important professional responsibilities. Since such recommendations carry presumptive weight, it is the faculty's responsibility to make sure that such decisions are arrived at with both careful attention to the needs and standards of the department, school and University, and with scrupulous fairness to all concerned. If the academic profession desires to preserve its relative autonomy in such decision-making, it must be able to defend its actions as fully responsible and meeting applicable standards of carefulness and fairness.

Hence, merely extending existing Faculty Code language that leaves to schools and departments the responsibility for specifying detailed criteria and procedures consistent with general Code requirements, the first Resolving Clause simply adds the requirement that recommending units develop and publish the procedures they are using and plan to use in recommending reappointment of regular, active status faculty, for those cases where it is appropriate to consider possible reappointment.

III. Background of Resolving Clause #2

The second resolving clause recognizes that, upon acceptance of the Resolution by the President and Board of Trustees, the Office of Academic Affairs ordinarily plays a central role in implementing the Resolution. The VPAA normally sees that schools and departments are notified of the new requirement, and sets deadlines for filing the appropriately modified bylaws in the Office of Academic Affairs.

Further, once such a Code requirement is in place, it is obviously imperative for legal reasons to make sure compliance is universal and adequate, and the second clause asks the Vice President for Academic Affairs to inform the Faculty Senate when such compliance has been achieved.

IV. Legislative History

The question as to whether or not such an amendment were needed was posed by the Senate Executive Committee to the Professional Ethics and Academic Freedom (PEAF) Committee several years ago, but only in the 1994-95 Senate term did the issue come to the top of its agenda. In that term it was agreed between the Executive Committee, the PEAF Committee and the Appointments, Salary, Promotion Policy (ASPP) Committee that consideration of such an amendment would be taken up by a joint subcommittee of the two Committees.

The first draft of this Resolution originated last year in the joint subcommittee. It was approved first by ASPP, then approved with amendments by PEAF last Spring, further amended by ASPP and again by PEAF this Fall, before receiving final approval from the ASPP Committee (on Dec. 12, 1995).

RECRUITMENT AND RETENTION OF MINORITY AND WOMEN FACULTY

Report To The Faculty Senate

From The
Office of Faculty Recruitment and Personnel Relations*

January 19, 1996

In the spirit of Faculty Senate Resolutions 89/13 and 90/7, the purpose of this report is to outline the status of the recruitment, appointment, promotion, tenure, and retention of and the climate for minority and women faculty at the University.

Since the inauguration of this report, the faculty profiles have included individuals in "visiting" positions: people who are appointed on a temporary basis. Because the inclusion of these data obscure the "real" numbers in the continuing faculty, we have chosen to exclude them from this year's profiles. The result should permit a more accurate assessment of where the University stands and what future steps are needed.

*The Office of Institutional Research provided faculty statistics and charts for this report.

UNIVERSITY COMMITMENT

The University remains committed to equal opportunity and to increasing the presence of minorities and women on its faculty and staff. We seek to promote this diversity through efforts to increase the number of minorities and women in our applicant pools and in the lists of finalists for faculty positions. This commitment, however, cannot translate into actual appointments without the active participation of the faculty, the gatekeepers to the academy.

Deans, department chairs, and faculty personnel committees bear primary responsibility for the recruitment, retention, and development of new faculty. Deans and department chairs--the key individuals in these activities--are expected to ensure that all personnel decisions conform to the Faculty Code, School bylaws, and University policies on equal opportunity. The Office of Faculty Recruitment and Personnel Relations continues to work in every way possible to help the faculty meet the obligation to increase the number of women and people of color in our faculty ranks.

Faculty Recruitment and Retention
Report To The Faculty Senate
January 19, 1996

PROFILE OF FACULTY NEW TO THE UNIVERSITY

Searches in 1994-95 resulted in 51 regular, active status faculty hires, distributed as follows:

TABLE 1
New Full-Time Faculty*
Academic Year 1995-96

	MEN		WOMEN		TOTAL
White	30		14		44
Black	1		3		4
Asian	2		1		3
Hispanic	<u>0</u>		<u>0</u>		<u>0</u>
Total	33	64.7%	18	35.3%	51
Minorities	3		4		7 13.7%

* Regular faculty only - excludes administrators with faculty rank, deans and associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.

In the category of "visiting" faculty, the appointments were distributed as follows:

TABLE 2
Visiting Appointments
Academic Year 1995-96

	MEN		WOMEN		TOTAL
White	32		21		53
Black	2		4		6
Asian	5		0		5
Hispanic	<u>0</u>		<u>0</u>		<u>0</u>
Total	39		25		64
Minorities	7		4		11

Faculty Recruitment and Retention
Report To The Faculty Senate
January 19, 1996

The 51 faculty new to the University, excluding those in visiting positions, joined the existing faculty to create the following profile:

TABLE 3

**Current Full-Time Faculty and % Change
Between Academic Years 1994-95 and 1995-96**

	<u>Men</u>	<u>% Change</u>	<u>Women</u>	<u>%Change</u>	<u>Total</u>	<u>% Change</u>
White	603	-1.8%	237	9.9%	840	-1.3%
Black	9	12.5%	21	-4.5%	30	0.0%
Asian	48	2.1%	24	-4.0%	72	0.0%
Hispanic	<u>8</u>	<u>-33.3%</u>	<u>10</u>	<u>11.1%</u>	<u>18</u>	<u>-14.3%</u>
Total	668	-1.9%	292	-0.3%	960	-1.4%
Minorities	65	-3.0%	55	-1.8%	120	-2.4%

As the profile of one-year changes shows, the number of regular, continuing faculty is decreasing. In the most recent year we lost ground in Hispanics, particularly males; among Black and Asian faculty males increased such that total numbers remained the same.

The numbers involved in these one-year changes, however, are small. As the following profile of the past seven years confirms, annual fluctuations are not reliable indicators of overall trends in the composition of the faculty. As an analysis of the data reflects, we continue to show long-term gains in the number of women and minorities on our faculty.

TABLE 4
**Current Full-Time Faculty and % Change Between
Academic Years 1988-89 and 1995-96**

	<u>Men</u>	<u>% Change</u>	<u>Women</u>	<u>%Change</u>	<u>Total</u>	<u>% Change</u>
White	603	-1.6%	237	34.7%	840	6.5%
Black	9	12.5%	21	162.5%	30	87.5%
Asian	48	71.4%	24	50.0%	72	63.6%
Hispanic	<u>8</u>	<u>-20.0%</u>	<u>10</u>	<u>400.0%</u>	<u>18</u>	<u>50.0%</u>
Total	668	1.4	292	44.6%	960	11.5%
Minorities	65	41.3%	55	111.5%	120	66.7%

CAMPUS CLIMATE

Child Care

An issue that affects not only women and minorities but all families is that of affordable and easily accessible child care services. On/near-site child care services may be an issue in the recruitment and retention of junior faculty. This year the University administration, upon completion of a campus-wide survey, and extensive discussion with the Senate's Committee on Appointments, Salary, and Personnel Policies, made the decision to offer this important service, available in early fall 1996. The University has contracted with Bright Horizons, Incorporated, to provide these services. A group of faculty and administrators is working to develop the requisite policies for operation.

A Climate Survey

A campus environment which is perceived to be less than hospitable can do great damage to the recruitment and retention of faculty; true for all candidates for positions, the sense of a "chilly climate" has particular impact on women and minorities. At GW we continue to work toward a campus climate that fosters the full participation of all faculty. We seek to demonstrate that we understand the forces that shape faculty life. We welcome and "socialize" new faculty appropriately, and we embrace and value diversity. An inclusive campus climate is crucial to all other efforts to

**Faculty Recruitment and Retention
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January 19, 1996**

enhance the full participation of all faculty in the life of the University, particularly minority members and women.

Affirming and improving the campus climate requires the collective efforts of all campus constituents. The effort can be guided by a systematic approach, framed by an understanding of the perceptions and experiences of those most vulnerable to an environment that presents barriers to success: minority, women, and junior faculty. To understand how our climate--at the department, School, and the University level--affects minority and women faculty, in collaboration with active women and minority faculty, we have developed a survey to assess their perceptions of the GW environment. The survey will be sent to these groups and to a random sample of White male faculty. We hope to gather information on issues such as the professional environment, knowledge and perceptions of various policies and processes, recruitment and retention, mentors and mentoring, networking opportunities, job satisfaction, and faculty development opportunities. The survey will be distributed during the week of January 22. The results of the survey will be distributed to the President, deans, and faculty. The results will be discussed at a breakfast event co-sponsored by the Committee on the Status of Women Faculty and Librarians and the Committee on Minority Faculty, on April 17. The results of that discussion, informed by the survey, will guide future efforts of the Office of Faculty Recruitment and Personnel Relations. Below we describe continuing initiatives that affect the climate and the professional environment.

Committee on Minority Faculty and The Committee on the Status of Women Faculty and Librarians

These committees serve in an advisory capacity to the Office of Academic Affairs. Their primary mission is to identify obstacles to the professional and personal development of women and minorities and to consider initiatives that will help to remove obstacles and improve conditions of campus life. Last spring The Committee on the Status of Women Faculty and Librarians sponsored a seminar, titled, "Affirming Diversity." The event was well attended by more than one hundred faculty members and administrators. In the fall of this academic year, the two committees co-sponsored a reception to welcome minority and women faculty and librarians who are new to GW. In April, the two committees will co-sponsor an event to discuss the results of the survey mentioned above.

Over the past year the work of the Committee on the Status of Women Faculty and Librarians, in cooperation with other University constituencies, strongly influenced the decision to make child care available to faculty and staff. The Committee continues to co-sponsor the Women's Studies Author Party and other events, and to hold meetings and seminars on such issues as affirming diversity and redefining scholarship. Over the next year the Committee will focus on the important issue of coaching younger colleagues on tenure requirements, including what it takes to get tenure and strategies for guiding and developing new faculty throughout the process.

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The Committee on Minority Faculty, a special, ad hoc advisory committee, will complete its work this spring with the analysis and presentation of the climate survey results.

Recognition and Prevention of Sexual Harassment

The University continues its commitment to maintaining a positive climate where individuals can pursue their academic and work activities in an atmosphere free from coercion and intimidation. We will also continue to inform faculty and academic administrators about issues related to sexual harassment. Many members of the campus community have been engaged, over the last eighteen months, in developing a document describing procedures to handle complaints. Following its full review and its approval by the Board of Trustees, we will distribute the document together with a pamphlet describing the recognition and prevention of sexual harassment and the process by which complaints are resolved. On this issue, systematic education of all campus constituencies is a primary step in prevention.

Faculty Salary Equity

We continue to monitor faculty salaries to identify and correct inequities. Periodic University-wide reviews are conducted by a committee composed of representatives the Office of Academic Affairs and the Faculty Senate. The next University-wide review will be held during the Spring semester, 1996. Special salary reviews--those requested by individual faculty members or their deans are handled on a case-by-case basis. Salaries that warrant an adjustment, pursuant to our current salary administration policy, are adjusted accordingly.

During the Fall semester 1995, we completed a special salary equity study for the Graduate School of Education and Human Development. Working with the Dean's Office and faculty representatives, we reviewed in detail, and in comparison with productivity as defined by the School, salaries within ranks, within departments, and within ranks across departments. In doing so we identified several cases where salary differences were not explained by the criteria in the model used for the analysis. Where warranted, we adjusted salaries, in line with our salary administration policy.

FACULTY RETENTION

At the end of the 1994-95 academic year, 75 regular, active status faculty left the University. Reasons for leaving included death, disability, retirement, completion of a temporary appointment, or other job opportunities.

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Included in the number of full-time regular active status faculty who left the University were 50 men and 25 women faculty. The minority faculty leaving the University included 5 Black, 5 Asian, and 4 Hispanics. The gender-proportion is appropriate to the overall faculty profile. The number of minority faculty members who left -- although in most cases for normal reasons -- is disquieting.

INSTITUTIONAL PROFILE

The current institutional profile of GW's faculty is presented on the following pages. The profile includes only regular, active-status faculty. Faculty profiles do not include administrators with faculty rank, deans and associate deans, research faculty, visiting faculty, affiliated faculty, and non-tenure accruing instructors in SMHS.

FACULTY BY CONTRACTUAL STATUS

TABLE 5

Current Full-Time Faculty by Contract Status
% Change Between Academic Years 1994-95 and 1995-96

Tenure and Tenure-Track Positions Combined

	<u>Men</u>	<u>% Change</u>	<u>Women</u>	<u>% Change</u>	<u>Total</u>	<u>% Change</u>
White	492	-2.2%	139	-2.8%	631	-2.3%
Black	5	25.0%	10	11.1%	15	15.4%
Asian	41	5.1%	14	16.7%	55	7.8%
Hispanic*	<u>5</u>	<u>-44.4%</u>	<u>7</u>	<u>0.0%</u>	<u>12</u>	<u>-25.0%</u>
Total	543	- 2.2%	170	- 0.6%	713	-1.8%
Minorities	51	-1.9%	31	10.7%	82	2.5%

Note: Four Hispanic male faculty members left GW: three resigned and one is deceased.

Faculty Recruitment and Retention
Report To The Faculty Senate
January 19, 1996

TABLE 5 continued
Non-Tenure Track Positions

	<u>Men</u>	<u>%Change</u>	<u>Women</u>	<u>%Change</u>	<u>Total</u>	<u>%Change</u>
White	111	0.0%	98	4.3%	209	2.0%
Black*	4	0.0%	11	-15.4%	15	-11.8%
Asian**	7	-12.5%	10	-23.1%	17	-19.0%
Hispanic	<u>3</u>	<u>0.0%</u>	<u>3</u>	<u>50.0%</u>	<u>6</u>	<u>20.0%</u>
Total	125	-0.8%	122	0.0%	247	-0.4%
Minorities	14	-6.7%	24	-14.3%	38	-11.6%

Note: * Four Black female faculty members left the university: one member's appointment ended, two resigned and one moved to part-time.

** One Asian male faculty member never came to GW. One Asian female faculty member moved to part-time and another took disability leave. Two Asian female faculty members left the university: one moved to part-time and the other left on disability leave.

TABLE 6

Current Full-Time Faculty by Rank
% Change Between Academic Years 1994-95 and 1995-96

Senior Ranks - Professor & Associate Professor

	<u>Men</u>	<u>%Change</u>	<u>Women</u>	<u>%Change</u>	<u>Total</u>	<u>%Change</u>
White	478	-3.8%	132	0.8%	610	-2.9%
Black	6	20.0%	12	9.1%	18	12.5%
Asian	32	0.0%	9	0.0%	41	0.0%
Hispanic*	<u>5</u>	<u>-37.5%</u>	<u>5</u>	<u>25.0%</u>	<u>10</u>	<u>-16.7%</u>
Total	521	-3.9%	158	1.9%	679	-2.6%
Minorities	43	-4.4%	26	8.3%	69	0.0%

Note: * Three Hispanic male faculty members left GW: two resigned and one is deceased

TABLE 6 continued
Junior Ranks - Assistant Professor & Instructor

	<u>Men</u>	<u>%Change</u>	<u>Women</u>	<u>%Change</u>	<u>Total</u>	<u>%Change</u>
White	125	6.8%	105	-0.9%	230	3.1%
Black*	3	0.0%	9	-18.2%	12	-14.3%
Asian**	16	6.7%	15	-6.3%	31	0.0%
Hispanic***	<u>3</u>	<u>-25.0%</u>	<u>5</u>	<u>0.0%</u>	<u>8</u>	<u>-11.1%</u>
Total	147	5.8%	134	-2.9%	281	1.4%
Minorities	22	0.0%	29	-9.4%	51	-5.6%

Note: * Four Black female faculty members left the university: one member's appointment ended, two resigned and one moved to part-time.

** Two Asian female faculty members left the university: one moved to part-time and the other faculty member left on disability leave.

*** One Hispanic male faculty member resigned.

CHALLENGES -- Pipeline Issues and Removing Barriers to Promotion and Tenure

Any progress in improving the representation of minority faculty, particularly Black and Hispanic faculty, is to some degree a function of the pool of doctorate holders. Thus, strategies to recruit minority faculty must be intimately tied to efforts to recruit undergraduate and graduate students to increase the number of doctorates in those under-represented groups. This undertaking is one that requires the participation and resources of all institutions of higher education. Within our own institution, schools can expand minority networking and outreach efforts to include other GW schools and departments. We need to learn all we can from our colleagues who have been successful in recruiting and training minority graduate students.

Deans and department chairs must place a higher emphasis on fostering the activities that lead to promotion and tenure. Junior faculty in general and minority and women faculty in particular must be prepared for promotion and tenure review using a structured, well thought out process. This "shepherding" or mentoring must begin at the point of hire and continue through the year of review. We can begin by helping a new faculty member to identify their strengths and weaknesses, establishing a development plan, staying abreast of their progress and problems, and providing periodic feedback. The fruit of this purposeful activity will be faculty who are better teachers and scholars -- and who are more likely to have successful tenure reviews.

APPENDIX

**Appendix A: Percent of Regular Faculty By Gender
Percent of Regular Faculty By Race**

Appendix B: New Full-Time Faculty, Academic Years 1990-91 to 1995-96

**Appendix C: Full-Time Faculty By School, Percent Change
Between Academic Years 1988-89 and 1995-96**

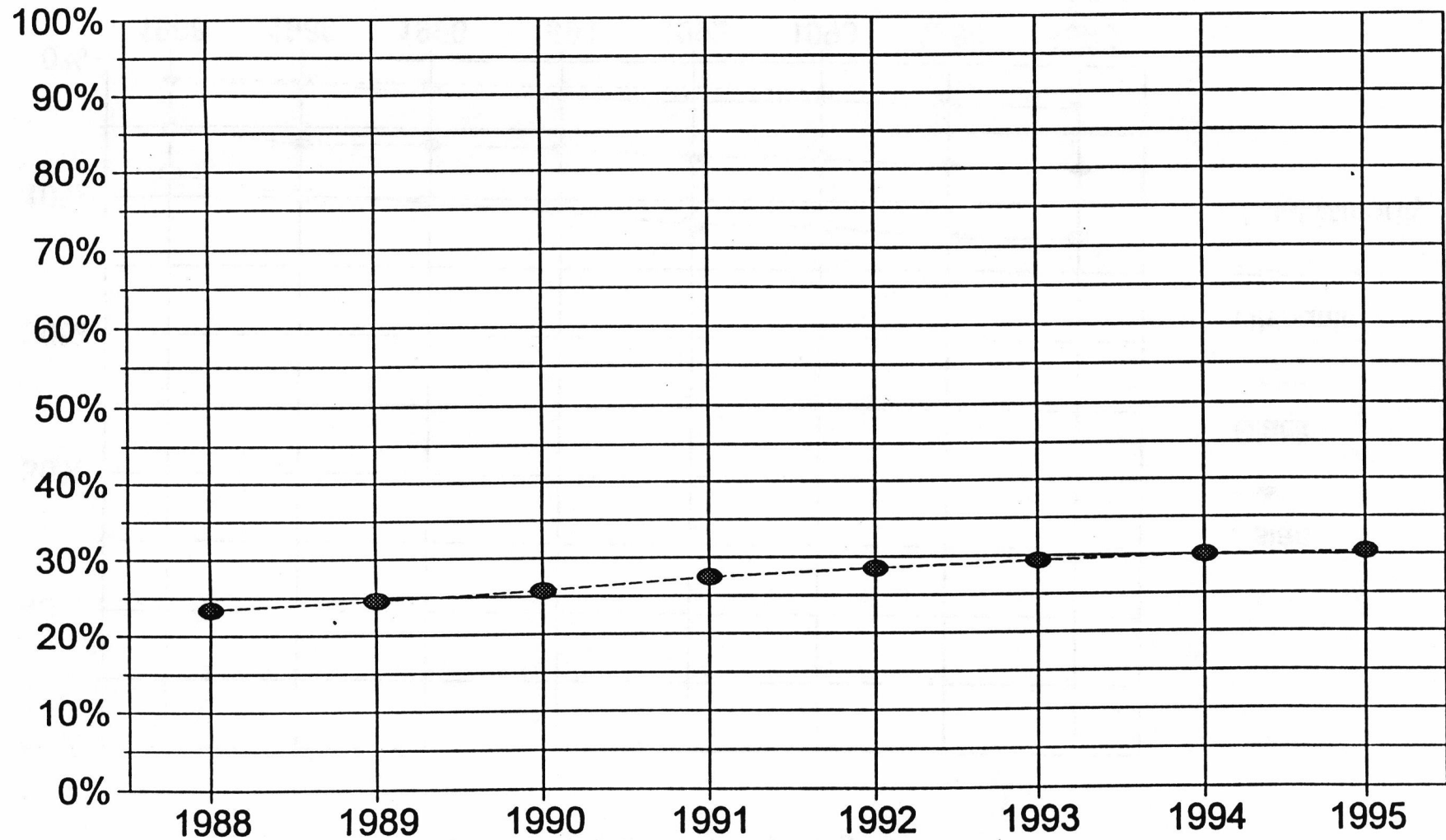
**Appendix D: Full-Time Faculty By Contract Status, Percent Change Between
Academic Years 1988-89 and 1995-96**

**Appendix E: Full-Time Faculty By Rank, Percent Change Between Academic
Years 1988-89 and 1995-96**

Appendix F: 1995-96 Full-Time Minority Faculty By School

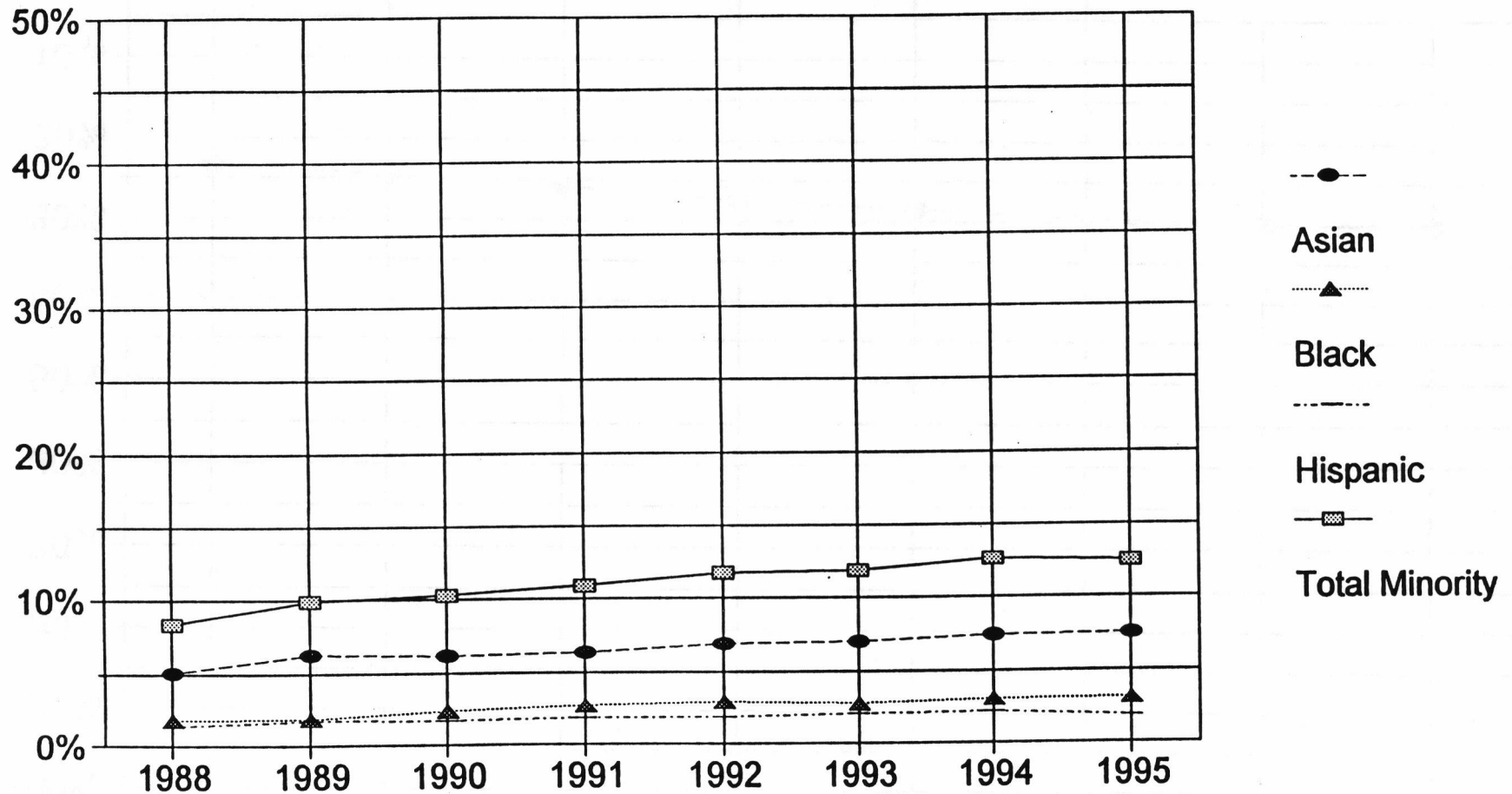
Appendix A1

Percentage of Female Regular Faculty



Appendix A2

Percentage of Minority Regular Faculty



Note: In order to emphasize the trend, this graph only extends to 50%.

GEORGE WASHINGTON UNIVERSITY
New Full-Time Faculty*
Academic Years 1990-91 to 1995-96

	<u>1991-92</u>		<u>1992-93</u>		<u>1993-94</u>		<u>1994-95</u>		<u>1995-96</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Total	75	100%	70	100%	66	100%	60	100%	51	100%
Women	30	40%	31	44%	23	35%	23	38%	18	35%
Men	45	60%	39	56%	43	65%	37	62%	33	65%
White	60	80%	57	81%	58	88%	44	73%	44	86%
Minority	15	20%	13	19%	8	12%	16	27%	7	14%
Black	4	5%	2	3%	2	3%	7	12%	4	8%
Asian	8	11%	9	13%	5	8%	7	12%	3	6%
Hispanic	3	4%	2	3%	1	2%	2	3%	0	0%

* Regular faculty only - excludes administrators with faculty rank, deans and associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.

IR 1/4/96

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**GEORGE WASHINGTON UNIVERSITY
FULL-TIME FACULTY* BY SCHOOL
% CHANGE BETWEEN 1988-89 AND 1995-96**

	<u>TOTAL</u>	<u>MEN</u>		<u>WOMEN</u>		<u>MINORITY</u>	
		<u>#</u>	<u>% Change</u>	<u>#</u>	<u>% Change</u>	<u>#</u>	<u>% Change</u>
CSAS	328	216	-2.7%	110	34.1%	37	94.7%
SBPM	109	88	15.8%	21	50.0%	16	220.0%
GSEHD	48	21	-4.5%	27	17.4%	6	100.0%
ESIA	25	19	11.8%	6	500.0%	1	0.0%
SEAS	72	64	-7.2%	8	33.3%	15	50.0%
SMHS	315	212	-0.5%	103	60.9%	41	28.1%
LAW	60	43	19.4%	17	41.7%	4	100.0%
UNIV	5	5	25.0%	0	0.0%	0	0.0%
TOTAL	960	668	1.4%	292	44.6%	120	66.7%

*Regular faculty only - excludes administrators with faculty rank, deans & associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.

IR 12/14/95

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**GEORGE WASHINGTON UNIVERSITY
FULL-TIME FACULTY BY CONTRACT STATUS
and % CHANGE BETWEEN
ACADEMIC YEARS 1988-89 and 1995-96**

Tenured & Tenure-Track Positions Combined

	MEN	%CHANGE	WOMEN	%CHANGE	TOTAL	%CHANGE
WHITE	492	-7.3%	139	16.8%	631	-2.9%
BLACK	5	-28.6%	10	150.0%	15	38.4%
ASIAN	41	64.0%	14	55.6%	55	61.8%
HISPANIC	5	-37.5%	7	250.0%	12	20.0%
<u>TOTAL</u>	543	-4.9%	170	28.9%	713	1.1%
MINORITIES	51	27.5%	31	106.7%	82	49.1%

***Regular faculty only - excludes administrators with faculty rank, deans & associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.**

IR 12/14/95

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**GEORGE WASHINGTON UNIVERSITY
FULL-TIME FACULTY BY RANK
and % CHANGE BETWEEN
ACADEMIC YEARS 1988-89 and 1995-96**

Senior Ranks - Professor & Associate Professor

	MEN	%CHANGE	WOMEN	%CHANGE	TOTAL	%CHANGE
WHITE	478	-5.0%	132	38.9%	610	2.0%
BLACK	6	0.0%	12	500.0%	18	125.0%
ASIAN	32	60.0%	9	12.5%	41	48.4%
HISPANIC	5	-28.6%	5	150.0%	10	11.1%
TOTAL	521	-2.8%	158	47.7%	679	5.6%
MINORITIES	43	30.3%	26	116.7%	69	53.3%

***Regular faculty only - excludes administrators with faculty rank, deans & associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.**

Appendix F

GEORGE WASHINGTON UNIVERSITY 1995-96 FULL-TIME MINORITY FACULTY* BY SCHOOL

Tenured and Tenure-Track Positions Combined

	MINORITY	BLACK	ASIAN	HISPANIC
CSAS	30	7	19	4
SBPM	14	1	11	2
GSEHD	4	3	0	1
ESIA	0	0	0	0
SEAS	14	0	13	1
SMHS	17	2	12	3
LAW	3	2	0	1
UNIV	0	0	0	0
TOTAL	82	15	55	12

Non-Tenure-Track

	MINORITY	BLACK	ASIAN	HISPANIC
CSAS	7	2	5	0
SBPM	2	2	0	0
GSEHD	2	1	1	0
ESIA	1	0	1	0
SEAS	1	0	0	1
SMHS	24	9	10	5
LAW	1	1	0	0
UNIV	0	0	0	0
TOTAL	38	15	17	6

*Regular faculty only - excludes administrators with faculty rank, deans & associate deans, visiting faculty, research faculty, affiliated faculty, and non-tenure-accruing instructors in SMHS.

January 18, 1996

Park. 2nd Oral Report on Search to Faculty Senate

1. Thanks to the Search Committee members and the staff in Vice President Bortz's office, especially Lynn Shipway and Karen Hetrick, who have been the effective engine of the process, and Pat Rueckel and Ron Stead of the consulting firm, Academic Search Consultation Service, for their advice and recruiting of candidates.

2. To summarize the progress of the Advisory Search Committee:

- a) Pool of 126 to date. Five more from ASCS anticipated.
- b) Incomplete files, 26.
- c) Persons eliminated from search 73.
- d) Withdrawals, 10.
- e) Priority candidates, 17. Seven ready for reference checking.
- f) On campus candidates in priority pool, 2.

3. To outline in broad strokes the revised time-table.

a) Week of 21st:

- Further reduction of priority candidate pool.
- Telephone reference checking of initial candidates.
- Approval of remaining candidates for reference checking.

b) Week of 28th:

- Committee to review results of reference checking.
- Choice of 8 to 10 for off-campus interviews by Committee.

b) Weekend of 17th (Sat) & 18th (Sun) of February:

- First round of off-campus interviews, two one-hour sessions.
- Selection of candidates for tentatively scheduled second round of off-campus interviews. Interviewers to include representative VP's, Deans and chairs. Candidates to have an informal meeting with the President.

c) Weekend of 8th (Fri) and 9th (Sat) of March:

- Tentatively planned second round of off-campus interviews.
- Committee to recommend three candidates, unranked, to President.

d) Week of 25th of March:

- On-campus interviews for three candidates. Interviewers' comments to sub-committee for Committee report to President.

4. We invite your continuing advice and consultation, and especially look forward to the participation of Members of the Senate, Chairs, Deans and Vice-Presidents in the interviewing and evaluation of the candidates incidental to their on-campus visits. We will have a special sub-committee working with you at that time to coordinate the campus "in-puts" for the use of President Trachtenberg.

5. To emphasize, again, the President's charge to the Committee: Identify the very best

candidates. The President has followed the completely "hands-off" approach that he indicated was his preference at the outset of the search. Once the first round of interviews off-campus is completed, it is the Search Committee's plan to begin regular consultations with the President and to disclose at that time the names of the remaining candidates, their files and the reasoning of the Committee as to each candidate'.

Code: VPSEARCH\SENRP02

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607

RECEIVED JAN 10 1964

REPORT OF THE EXECUTIVE COMMITTEE
JANUARY 19, 1996
PROFESSOR JOSEPH PELZMAN, CHAIR

On behalf of the Executive Committee, I would like to report on the following matters:

(1) SENATE ELECTIONS

Please note that it is necessary for Schools to elect new members to the Senate prior to March 15. It would be much appreciated if Senators would remind their colleagues that these elections need to take place in a timely manner so that the Executive Committee will be able to call upon a full complement of Senators in determining committee membership for next year.

(2) FACULTY ASSEMBLY MEETING ON THURSDAY, FEBRUARY 1, 1996

In accordance with Senate Resolution 95/4 to amend the Faculty Organization Plan with regard to the composition of the Faculty Senate, the Executive Committee requested that the President call a regular meeting of the Assembly for action by the Assembly on the proposed amendment to the FOP. A regular meeting of the Faculty Assembly has been called for Thursday, February 1, 1996, at 3:00 p.m., in Lerner Hall, (2000 H St.), Lower Level, Room 101. Please make every effort to attend this meeting, and encourage your colleagues to attend as well. The agenda for the regular Faculty Assembly meeting will be distributed next week.

(3) GRIEVANCE CASE

The Executive Committee received the final decision and report of the Dispute Resolution Committee on December 7, 1995, in a grievance from the Medical School. The report stated that the complaint was dismissed and the matter was deemed closed under Faculty Code Procedures Section E(3)(b)(3).

(4) COMMITTEE SERVICE

Please note that the forms for service on Administrative Standing Committees and Faculty Senate Standing Committees will be distributed with the agenda for the Senate's February 9th meeting. I urge you to consider volunteering for service and to encourage your colleagues to participate in an activity which is at the core of faculty governance.

(5) ANNOUNCEMENTS

The next meeting of the Executive Committee is scheduled for Friday, January 26, 1996. Committee Chairs are asked to forward any reports or resolutions to the Executive Committee before that date for inclusion on the Senate's agenda for the February 9th meeting.

(6) RESOLUTION 95/5

The Executive Committee expresses its appreciation for the Senate's support for Resolution 95/5 establishing the Special Joint Committee on Conflict of Interest. This is an important new step in the continuing development of faculty governance at the University.

**THE GEORGE WASHINGTON UNIVERSITY
Washington, DC**

The Faculty Senate

January 8, 1996

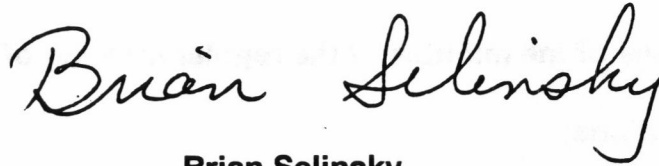
The Faculty Senate will meet on Friday, January 19, 1996, at 2:10 p.m. in the Elliott Room, University Club, Marvin Center.

AGENDA

- 1. Call to order**
- 2. Approval of the minutes of the regular meeting of December 8, 1995**
- 3. Resolutions:**
 - (a) A RESOLUTION TO ESTABLISH A SPECIAL JOINT FACULTY-ADMINISTRATION-TRUSTEES COMMITTEE TO FORMULATE AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST (95/5); Professor Joseph Pelzman, Chair, Executive Committee of the Faculty Senate (Resolution 95/5 is attached.)**
 - (b) A RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR REAPPOINTMENT (95/6) with accompanying Report; Professor William B. Griffith, Chair, Committee on Appointments, Salary, and Promotion Policies, and Professor Lilien F. Robinson, Chair, Committee on Professional Ethics and Academic Freedom (Resolution 95/6 is attached.)**
- 4. Introduction of Resolutions**
- 5. Report on Recruitment and Appointment of Women and Minority Faculty from the Office of the Interim Vice President for Academic Affairs**
- 6. General Business:**
 - (a) Nomination for election of faculty members to a Special Committee established by Resolution 95/5 (if approved by the Senate under Item 3 above)**
 - (b) Report of the Executive Committee: Professor Joseph Pelzman**
 - (c) Interim Reports of Senate Committee Chairs**

7. Brief Statements (And Questions)

8. Adjournment

A handwritten signature in cursive script that reads "Brian Selinsky". The signature is written in dark ink and is centered on the page.

Brian Selinsky
Secretary

A RESOLUTION TO ESTABLISH A SPECIAL JOINT FACULTY-ADMINISTRATION-TRUSTEES COMMITTEE TO FORMULATE AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST (95/ 5)

WHEREAS, the Board of Trustees of The George Washington University at its May 12, 1995, meeting requested that the Faculty Senate and Administration draft an all-encompassing University-wide conflict of interest policy for review by the Board's Academic Affairs Committee; and

WHEREAS, the Faculty Senate has declared its commitment to work with the Administration and the Board of Trustees to develop an all-encompassing University-wide conflict of interest policy; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That a Special Joint Faculty-Administration-Trustees Committee be established, to consist of ten faculty members, including a Co-Chair, to be be nominated by the Executive Committee for election by the Senate; the Administration and the Board of Trustees to appoint a Co-Chair of the Special Joint Committee and additional members; and**
- (2) That the Special Joint Committee be charged as follows:**
 - (a) to review the existing conflict of interest policies at other leading universities, including those considered GWU's "market-basket" schools; and**
 - (b) to develop an all-encompassing University-wide conflict of interest policy; and**
 - (c) to submit its report and recommendations to the Faculty Senate by December, 1996.**

**Executive Committee of the Faculty Senate
December 14, 1995**

A RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR REAPPOINTMENT (Res. 95/6)

WHEREAS, a recommendation for or against reappointing a faculty member constitutes a very important decision both for the University and the individual faculty member; and

WHEREAS, faculty candidates for reappointment have complained of unwritten and unclear procedures; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That the Faculty Code, Sec. IV. A. 5, be amended to read (added language is underlined):

"5. CRITERIA AND PROCEDURES FOR APPOINTMENTS AND REAPPOINTMENTS

Each school, college, or comparable educational division shall establish and publish criteria on which regular active-status faculty appointments will be based. Additional criteria that may exist in the departments shall also be published. Each department or nondepartmentalized school or college shall establish and publish (a) the procedures to be followed for recruitment, assembling all relevant information, and making recommendations for appointments to the regular faculty, and, (b) the procedures to be followed in assembling information and recommending for or against reappointment to the regular faculty, whenever reappointment may be considered within the terms of an existing appointment."

2. That the Vice President for Academic Affairs assure the publication of such procedures and advise the Faculty Senate of the status of compliance with this requirement.

Committee on Appointments, Salary, and Promotion Policies
Committee on Professional Ethics and Academic Freedom
Dec. 12, 1995

Appointments, Salary, Promotion Policies Committee

SPECIAL REPORT TO THE FACULTY SENATE: Dec. 12, 1995

I. Introduction

This Special Report is intended to accompany and clarify a "RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR APPOINTMENT" (R 95/___). This Resolution is sponsored by both the Appointments, Salary, and Promotion Policies (ASPP) and the Professional Ethics and Academic Freedom (PEAF) Committees, to whom the Executive Committee assigned joint jurisdiction on the issue in question. This Report was prepared by the ASPP Committee on behalf of both committees.

II. Background of Resolving Clause #1

The Senate Executive Committee was prompted to send this issue to the PEAF Committee by a rising number of complaints, by both tenure-track and non-tenure-track faculty members, that consideration of their reappointments had been faulty or deficient in ways that made the judgement suspect, but also made it difficult to obtain a proper review. In a number of cases, there appeared to be at least prima facie justification of a complaint that the departmental or school consideration of a reappointment had been seriously deficient in failing to provide reasonably fair procedures, such as advance notice to the candidate of consideration, clear identification of what would be considered, a reasonable opportunity for the candidate to update his/her c.v. and/or provide copies of recent teaching evaluations or new publications, and adequate time for the voting faculty to review the new dossier.

In the absence of any published procedures, however, the complaining faculty member faced a difficult task of sustaining a grievance under the Faculty Code by showing the decision arbitrary or capricious. This left only recourse to the courts, a route sometimes taken but an expensive, stressful, divisive, and time-consuming undertaking for the individual and the department, School, and University. Moreover, in the absence of published procedures, such a case is difficult for the University to defend, and raises the likelihood that courts will impose their own standards of fair procedures which may not fit our situation as well as ones of our own devising.

In addition, it has been pointed out that such potential for vagueness or hidden biases and/or arbitrariness in procedures is thought to pose a special threat to minority and women faculty, where it would also be especially closely scrutinized by the courts (Report on the Status of Minority and Women Faculty and Librarians).

Developing recommendations respecting faculty appointments, reappointments, promotion and tenure constitutes one of the facul-

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ty's most important professional responsibilities. Since such recommendations carry presumptive weight, it is the faculty's responsibility to make sure that such decisions are arrived at with both careful attention to the needs and standards of the department, school and University, and with scrupulous fairness to all concerned. If the academic profession desires to preserve its relative autonomy in such decision-making, it must be able to defend its actions as fully responsible and meeting applicable standards of carefulness and fairness.

Hence, merely extending existing Faculty Code language that leaves to schools and departments the responsibility for specifying detailed criteria and procedures consistent with general Code requirements, the first Resolving Clause simply adds the requirement that recommending units develop and publish the procedures they are using and plan to use in recommending reappointment of regular, active status faculty, for those cases where it is appropriate to consider possible reappointment.

III. Background of Resolving Clause #2

The second resolving clause recognizes that, upon acceptance of the Resolution by the President and Board of Trustees, the Office of Academic Affairs ordinarily plays a central role in implementing the Resolution. The VPAA normally sees that schools and departments are notified of the new requirement, and sets deadlines for filing the appropriately modified bylaws in the Office of Academic Affairs.

Further, once such a Code requirement is in place, it is obviously imperative for legal reasons to make sure compliance is universal and adequate, and the second clause asks the Vice President for Academic Affairs to inform the Faculty Senate when such compliance has been achieved.

IV. Legislative History

The question as to whether or not such an amendment were needed was posed by the Senate Executive Committee to the Professional Ethics and Academic Freedom (PEAF) Committee several years ago, but only in the 1994-95 Senate term did the issue come to the top of its agenda. In that term it was agreed between the Executive Committee, the PEAF Committee and the Appointments, Salary, Promotion Policy (ASPP) Committee that consideration of such an amendment would be taken up by a joint subcommittee of the two Committees.

The first draft of this Resolution originated last year in the joint subcommittee. It was approved first by ASPP, then approved with amendments by PEAF last Spring, further amended by ASPP and again by PEAF this Fall, before receiving final approval from the ASPP Committee (on Dec. 12, 1995).